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In re Application of NANDHRA
Application No.: 10/517,738
PCT Application No.: PCT/US01/05895
Int. Filing Date: 23 February 2001
Priority Date Claimed: 24 February 2000
Attorney Docket No.: FINDP001
For: METHOD AND SYSTEM FOR
EXTRACTING, ANALYZING, STORING,
COMPARING, AND REPORTING ON DATA
STORED IN WEB AND/OR OTHER NETWORK
REPOSITORIES AND APPARATUS TO DETECT,
PREVENT AND OBFUSCATE INFORMATION
REMOVAL FROM INFORMATION SERVERS

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

Applicant's "Petition to Revive Unintentionally Abandoned International Application," filed in the United States Patent and Trademark Office on 09 December 2004, which is being treated as a Petition for Revival under 37 CFR 1.137(b), is GRANTED.

BACKGROUND

On 23 February 2001, applicant filed international application PCT/US01/05895. The international application claims a priority date of 24 February 2000 and designates the United States. The deadline for paying the basic national fee in the United States was thirty months from the priority date, that is 24 August 2004. Applicant missed this deadline.

On 09 December 2004, applicant filed the instant petition for revival accompanied by, *inter alia*, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), a copy of the international application as required by 35 U.S.C. 371(c)(2), an executed declaration as required by 35 U.S.C. 371(c)(4), and the petition fee of \$750.

DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became

aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a proper reply, (2) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (3) the petition fee required by law, and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995). A payment of the basic national fee constitutes a proper reply for entry into the national stage.

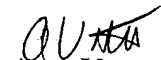
Applicant's statement in the petition that "the entire delay in filing the U.S. National Phase application, from the due date for filing it as set forth in 37 CFR 1.495 until the filing of this petition was unintentional" satisfies the requirements of 37 CFR 1.137(b)(3). The submission of the national fee and the copy of the international application satisfies 37 CFR 1.137(b)(1). The payment of the petition fee satisfies the requirement under 37 CFR 1.137(b)(2). A terminal disclaimer is not required because the application was filed on or after 08 June 1995. Therefore, the requirements for a grantable petition under 37 CFR 1.137(b) have been satisfied.


CONCLUSION

The petition to revive the application abandoned under 37 CFR 1.137(b) is GRANTED as to the National Stage in the United States of America.

Applicant has satisfied the filing requirements under 35 U.S.C. 371.

The application has an international filing date of 23 February 2001 under 35 U.S.C. 363 and a date of 09 December 2004 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4). The application is being returned to the National Stage Processing Division of the Office of PCT Operations for continued processing.


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